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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/765,673	01/22/2001	Tal Yaegerman	2786-0158P	6360
2292	7590	11/15/2004	EXAMINER	
BIRCH STEWART KOLASCH & BIRCH PO BOX 747 FALLS CHURCH, VA 22040-0747			LIN, KENNY S	
			ART UNIT	PAPER NUMBER
			2154	

DATE MAILED: 11/15/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/765,673

Applicant(s)

YAEGERMAN ET AL.

Examiner

Kenny Lin

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 August 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) 1-8 and 15-18 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 9-14 and 19-21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 5/1/2001.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

1. Claims 1-21 are presented for examination.

Election/Restrictions

2. Applicant's election without traverse of Claims 9-14 and 19-21 in the reply filed on August 13, 2004 is acknowledged.
3. Claims 1-8 and 15-18 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected group, there being no allowable generic or linking claim. Election was made **without** traverse in the reply filed on August 13, 2004.
4. Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a request under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

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6. Claims 9-13, and 19-21 are rejected under 35 U.S.C. 102(b) as being anticipated by Gabber et al (Gabber), US 5,961,593.

7. Gabber was cited by the applicant in IDS filed on May 1, 2001.

8. As per claim 9, Gabber taught the invention as claimed including a method for enabling a user communication device selective access to computerized network through a provider of a computerized network connecting service (figs. 1-2), the method comprising:

- a. Receiving user identification data from user communication device (col.6, lines 38-51, col.7, lines 1-11, col.8, lines 21-25, col.11, lines 15-17, 20-30);
- b. Proofing the user identification data (col.7, lines 21-24, col.11, lines 38-43, 61-63);
- c. Checking whether said identification data represent an actual user name or a user alias (col.11, lines 15-18, 38-43, 61-63);
- d. Providing the user communication device with anonymous browsing if said user alias is used or providing the user communication device named browsing of the computerized network if said actual user name is used (col.3, lines 29-35, col.5, lines 62-63, col.6, lines 52-58, col.9, lines 50-57).

9. As per claim 19, Gabber taught the invention as claimed including a program storage device readable by machine, tangibly embodying a program of instructions executable by the machine to perform method steps for enabling a user communication device selective access to

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computerized network through a provider of a computerized network connecting service (figs. 1-2), the method comprising:

- a. Receiving user identification data from user communication device (col.6, lines 38-51, col.7, lines 1-11, col.8, lines 21-25, col.11, lines 15-17, 20-30);
- b. Proofing the user identification data (col.7, lines 21-24, col.11, lines 38-43, 61-63);
- c. Checking whether said identification data represent the actual user name or the user alias (col.11, lines 15-18, 38-43, 61-63);
- d. Providing the user communication device with anonymous browsing if said user alias is used or providing the user communication device named browsing of the computerized network if said actual user name is used (col.3, lines 29-35, col.5, lines 62-63, col.6, lines 52-58, col.9, lines 50-57).

10. As per claim 20, Gabber taught the invention as claimed including a computer program product comprising a computer useable medium having computer readable program code embodied therein for enabling a user communication device selective access to computerized network through a provider of a computerized network connecting service (figs. 1-2), the computer program product comprising:

- a. Computer readable program code for causing the computer to receive user identification data from user communication device (col.6, lines 38-51, col.7, lines 1-11, col.8, lines 21-25, col.11, lines 15-17, 20-30);

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- b. Computer readable program code for causing the computer to proofing the user identification data (col.7, lines 21-24, col.11, lines 38-43, 61-63);
- c. Computer readable program code for causing the computer to check whether said identification data represent the actual user name or the user alias (col.11, lines 15-18, 38-43, 61-63);
- d. Computer readable program code for causing the computer to providing the user communication device with anonymous browsing if alias user name was entered or named browsing of the computerized network if an actual user name was entered (col.3, lines 29-35, col.5, lines 62-63, col.6, lines 52-58, col.9, lines 50-57).

11. As per claim 10, Gabber taught the invention as claimed in claim 9. Gabber further taught that the user identification data include the user identification name and password (col.8, lines 22-26, col.9, lines 65-67, col.11, lines 15-17).

12. As per claim 11, Gabber taught the invention as claimed in claim 9. Gabber further taught that the computerized network is the Internet (col.5, lines 35-42).

13. As per claim 12, Gabber taught the invention as claimed in claim 9. Gabber further taught that the provider is an Internet Service Provider (col.6, lines 52-58).

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14. As per claim 13, Gabber taught the invention as claimed in claim 11. Gabber further taught that the user communication device is a user computer having a browser software for navigation through the Internet (col.1, lines 46-49, col.8, lines 17-21).

15. As per claim 21, Gabber taught the invention as claimed in claim 20. Gabber further taught that the computer program product of claim 20 is for use in a proxy of said provider (col.5, lines 60-67, col.6, lines 1-4, 38-44, 52-58).

Claim Rejections - 35 USC § 103

16. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

17. Claim 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over Gabber et al (Gabber), US 5,961,593, in view of Doeberl et al (Doeberl), EP 1033854, published on September 6, 2000.

18. Doeberl was cited by the applicant in IDS filed on May 1, 2001.

19. As per claim 14, Gabber taught the invention substantially as claimed in claim 9. Gabber did not specifically teach that the user alias is a pre-agreed-upon alias. Doeberl taught that the

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user alias can be pre-agreed-upon alias created by the user (col.2, lines 26-29). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Gabber and Deoberl because Deoberl's teaching of using pre-agreed-upon alias enable the users in Gabber's system to setup bill payment methods in the user created alias to allow anonymous purchase while browsing (col.2, lines 35-39).

Conclusion

20. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Falkenhainer et al, US 5,930,801.

Pedersen et al, US 5,923,842.

Stennicke, US 2003/0061294.

21. A shortened statutory period for reply to this Office action is set to expire THREE MONTHS from the mailing date of this action.

22. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kenny Lin whose telephone number is (571) 272-3968. The examiner can normally be reached on 8 AM to 5 PM Tue.-Fri. and every other Monday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Follansbee can be reached on (571) 272-3964. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

ksl
November 10, 2004

Wen-Jan L. 11/10/04